

THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

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|---------------------------------|---|---------------------------|
| JASON CISZEWSKI, |) | |
| |) | |
| Plaintiff, |) | No. 1:09-cv-05355 |
| |) | |
| v. |) | Judge Matthew F. Kennelly |
| |) | |
| DENNY'S CORPORATION, a Delaware |) | |
| corporation, |) | |
| |) | |
| Defendant. |) | |
| |) | |

AGREED MOTION FOR EXTENSION OF TIME FOR
DEFENDANT DENNY'S CORPORATION TO ANSWER OR OTHERWISE PLEAD

Defendant Denny's Corporation ("Denny's") respectfully submits this Agreed Motion for Extension of Time for Denny's to Answer or Otherwise Plead and states in support that:

1. In September 2009, Plaintiff sent a waiver of service of summons to the President and CEO of Denny's Corporation. Although the waiver notice is undated, it states that Denny's has until 60 days after September 2, 2009 (i.e., November 2, 2009) to file its answer or motion under Rule 12.

2. On October 5, 2009, counsel for Denny's returned a signed notice of waiver of service to Plaintiff's counsel. (See Exhibit A, attached hereto). Subject to the Court's approval, Plaintiff's counsel agreed to extend the date for Denny's to answer or otherwise plead by 21 days (i.e., until November 23, 2009).

3. Therefore, the parties respectfully request that the Court enter the attached Order granting Denny's an extension of 21 days (until November 23, 2009) to answer or otherwise plead.

Dated: October 6, 2009

Respectfully Submitted,

/s/ Andrew Goldman
Andrew Goldman

*Attorney for Defendant Denny's
Corporation*

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*ATTORNEYS FOR DEFENDANT DENNY'S
CORPORATION*

CERTIFICATE OF SERVICE

A copy of the foregoing was filed electronically on October 6, 2009. Notice of this filing will be sent to the parties listed by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

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ATTORNEY FOR PLAINTIFF

/s/ Andrew Goldman

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